

TFC Contract No. 18-056-000  
Tom Green and Company Engineers, Inc.  
Amendment 1 to Assignment 1  
Project No.: 16-010-58880

**INDEFINITE DELIVERY INDEFINITE QUANTITY  
PROFESSIONAL SERVICES AGREEMENT  
BETWEEN  
THE TEXAS FACILITIES COMMISSION  
AND  
TOM GREEN AND COMPANY ENGINEERS, INC.**

**TFC CONTRACT NO. 18-056-000**

**AMENDMENT NO. 1 TO ASSIGNMENT NO. 1**

**This Amendment No. 1 to Assignment No. 1** (hereinafter referred to as Amendment No. 1 to Assignment No. 1) is entered into by and between the Texas Facilities Commission (hereinafter referred to as "TFC"), a state agency located at 1711 San Jacinto Boulevard, Austin, Texas 78701 and Tom Green and Company Engineers, Inc. located at 3701 Executive Center Drive, Suite 258, Austin, Texas 78731 (hereinafter referred to as "PSP") (TFC and PSP are hereinafter referred to individually as a "Party" or collectively as "Parties"), to be effective on the Effective Date (as defined below) and the terms and conditions of which are as follows.

**RECITALS.**

WHEREAS, the Parties entered into that one certain Indefinite Delivery Indefinite Quantity Professional Services Agreement, TFC Contract No. 18-056-000, and dated August 8, 2017 (hereinafter referred to as the "Agreement"); and

WHEREAS, pursuant to the terms of the Agreement, the Parties entered into Assignment No. 1, dated December 15, 2017 (hereinafter referred to as "Assignment No. 1"); and

WHEREAS, on June 27, 2019, PSP notified TFC that all work has been completed for Assignment No. 1; and

WHEREAS, the Parties desire to reduce the total amount of Assignment No. 1 by Thirty-Nine Thousand Five Hundred Fifty-One and 00/100 Dollars (\$39,551.00), to unencumber unused funds and close out referenced Assignment No. 1;

NOW THEREFORE, the parties hereby agree as follows:

1. The parties hereby agree to modify DURATION OF ASSIGNMENT, by deleting the paragraph in its entirety and replacing it with the following:

**"DURATION OF ASSIGNMENT:** The scope of services of this Assignment No.1 shall be completed no later than July 31, 2019, unless terminated earlier as provided in Section 3.2 of the Agreement. The schedule is subject to adjustments for possible time extension;

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however, any extension of time must be approved by the TFC and shall require and amendment to Assignment No. 3.”

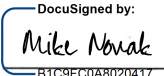
2. The parties hereby agree to modify FEE FOR BASIC SERVICES to reflect a decrease of Thirty-Nine Thousand Five Hundred Fifty-One and 00/100 Dollars (\$39,551.00), for which purpose FEE for BASIC SERVICES is deleted in its entirety and replaced with the following:

**“FEE FOR BASIC SERVICES:** The fee for the services set forth in this Assignment No. 1 shall not exceed Forty Thousand Four Hundred Forty-Nine and 00/100 Dollars (\$40,449.00). No more frequently than once per month, PSP shall submit a Pay Application to TFC for services performed and reasonable and necessary costs and expenses incurred through the last day of the previous month. Any reimbursable expenses, if allowed, shall be in accordance with Section 4.6 (Maximum Reimbursable Expenses) of the Agreement.”

3. Except as amended and supplemented by this Amendment No. 1 to Assignment No. 1, the terms and conditions of Assignment No. 1 shall remain in full force and effect.

IN WITNESS WHEREOF the parties have made and executed this Amendment No. 1 to Assignment No. 1 to be effective as of July 31, 2019.

**TEXAS FACILITIES COMMISSION**

By:   
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Mike Novak

Executive Director

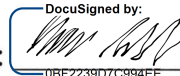
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**TOM GREEN AND COMPANY  
ENGINEERS, INC**

By:   
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Cameron Labunski, P.E.

Principal Engineer

Date of execution: 08/05/2019 | 7:10 AM CDT